

# Norfolk Lowland Search and Rescue

# Constitution



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# Constitution of Norfolk Lowland Search and Rescue

## **A. Name**

The organisation shall be known as 'Norfolk Lowland Search and Rescue', or abbreviated to NorLSAR (hereinafter known as NorLSAR)

## **B. Administration**

Subject to matters set out below NorLSAR and its property shall be administered and managed in accordance with this constitution by the members of the Management Committee, constituted by Clause **G** of this constitution ("the: Management Committee")

## **C. Objects**

The objects of NorLSAR shall be to relieve suffering and distress amongst persons endangered by accidents or natural hazards, in particular;

- 1) To promote and co-ordinate adequate search and rescue arrangements in the county of Norfolk in accordance with the standards set by the Association of Lowland Search and Rescue.
- 2) To support search and rescue activities in other geographical regions as requested by the Association of Lowland Search and Rescue or other member teams of the Association of Lowland Search and Rescue.
- 3) To support our communities in emergency situations except when search and rescue activities take priority.

## **D. Powers**

In furtherance of the objects but not otherwise the Management Committee may exercise the following powers:

1. Power to liaise with the appropriate external bodies as necessary to attain the above objects.
2. Power to negotiate for services at a local level on behalf of NorLSAR but only where agreed by the Management Committee in advance.
3. Power to appoint and constitute such advisory committees as the Management Committee may think fit.
4. Power to raise funds and to invite and receive contributions, provided that in raising funds the Management Committee shall not undertake any substantial permanent trading activities and shall conform to any relevant requirements of the law.

5. Subject to a unanimous Management Committee decision, power to buy, take on lease or in exchange, any property, and to maintain and equip it for use.
6. Subject to a unanimous Management Committee decision, power to sell, lease, or otherwise dispose of, all or any part of NorLSAR's property, subject to complying with the restrictions on disposals imposed by section 36 of the Charities Act 1993, unless the disposal is excepted from the restrictions by section 36(9)(b), or (c) or section 36(10) of that Act.
7. Power to reimburse out of pocket expenses to officers, employees and members.
8. Power to do all other lawful things for the attainment of the above objects.

## **E. Membership**

- 1) Membership of NorLSAR shall be open to any person over the age of 18 years interested in furthering the objects of NorLSAR.
  - 2) Categories of Membership:
    - (i) a) Operational Members  
The Management Committee will admit as Operational Members persons who are members of Operational Units who support the objects of NorLSAR who also pass a Criminal Records Bureau check. This person must also train to meet the standards laid in their Handbooks and the team's Rules and Regulations to remain operational.
    - b) Associate Members  
May be admitted at a unanimous Management Committee decision from people and organisations that do not wish to be operational as search members but support the objects of NorLSAR
  - (ii) Non Voting Members  
  
Honorary Members  
Honorary Members may be admitted at a unanimous Management Committee decision from people who are thought to be worthy of such membership and who support the objects of NorLSAR
- 3) Every Voting Member (as Clause **E2(i)** above) shall have one vote.
  - 4) The Management Committee may by unanimous vote and for good reason terminate the membership of any individual: provided that the individual concerned shall have the right to be heard by the Management Committee, accompanied by a friend, before a final decision is made.

## **F. Honorary Officers.**

1. At the annual general meeting of NorLSAR the Full Members shall elect honorary officers who shall hold office from the conclusion of that meeting.
2. In the first instance the Honorary Officers shall be the Honorary Officers of the NorLSAR Steering Committee and the arrangements for election of Honorary Officers set out in clause **F1** above shall apply from the second Annual General Meeting
3. Honorary officers shall consist of Chairperson, Treasurer and Secretary.

## **G. Management Committee**

1. The Management Committee will comprise the Honorary Officers plus no less than 4 other members who will be elected at the annual general meeting. The members of the Management Committee shall also be the Trustees of NorLSAR.
2. The Management Committee may in addition appoint not more than 3 co-opted members but so that no-one may be appointed as a co-opted member if, as a result, more than one third of the members of the Management Committee would be co-opted members. Each appointment of a co-opted member shall be made at a special general meeting of the Management Committee called under Clause **J1**.
3. All the members of the Management Committee shall retire from office together at the end of the annual general meeting next after the date on which they came into office but they may be re-elected or re-appointed.
4. The proceedings of the Management Committee shall not be invalidated by any vacancy among their number or by any failure to appoint or any defect in the appointment or qualification of a member.
5. Nobody shall be appointed as a member of the Management Committee who is aged under 18 or who would if appointed be disqualified under the provisions of Clause **H1**.
6. No person shall be entitled to act as a member of the Management Committee whether on a first or on any subsequent entry into office until after signing in the minute book of the Management Committee a declaration of acceptance and of willingness to act in the interests of NorLSAR.

## **H. Determination of Membership of Management Committee**

A member of the Management Committee shall cease to hold office if he or she:

1. is disqualified from acting as a member of the Management Committee by virtue of the Charities Act 1992 (or any statutory re-enactment or modification of that provision);
2. becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs;

3. is absent without the permission of the Management Committee from all their meetings held within a period of three months and the Management Committee resolve that his or her office be vacated; or
4. notifies the Management Committee a wish to resign (but only if at least three members of the Management Committee will remain in office when the notice of resignation is to take effect).

#### **I. Management Committee Members not to be Personally Interested.**

No member of the Management Committee shall acquire any interest in property belonging to NorLSAR (otherwise than as a trustee for NorLSAR) or receive remuneration or be interested (otherwise than as a member of the Management Committee) in any contract entered into by the Management Committee.

#### **J. Meetings and Proceedings of the Management Committee**

1. The Management Committee shall hold at least 6 ordinary meetings each year. A special meeting may be called at any time by the Chairperson or by any two members of the Management Committee upon not less than 14 days' notice being given to the other members of the Management Committee of the matters to be discussed but if the matters include an appointment of a co-opted member not less than 21 days' notice must be given.
2. The Chairperson shall act as the Chairperson at meetings of the Management Committee. If the Chairperson is absent from the meeting, the members of the Management Committee present shall choose one of their number to chair the meeting before any other business is transacted.
3. There shall be a quorum when at least three Management Committee members are present.
4. Every matter shall be determined by a majority of votes of the members of the Management Committee present and voting on the question but in the case of equality of votes the chairman of the meeting shall have an extra (or casting) vote.
5. The Management Committee shall keep minutes, in books kept for the purpose, of the proceedings at meetings of the Management Committee and any sub-committee.
6. The Management Committee may from time to time make and alter rules for the conduct of their business, the summoning and conduct of their meetings and the custody of documents. No rule may be made which is inconsistent with this constitution.
7. The Management Committee may appoint one or more sub-committees for the purpose of making any inquiry or supervising or performing any function or duty which in the opinion of the Management Committee would be more conveniently undertaken or carried out by a sub-committee: provided that all acts and proceedings of any such sub-committees shall be fully and promptly reported to the Management Committee. Each sub-committee shall have at least one member who is a member of the Management Committee.

8. The Management Committee may appoint one or more persons for the purpose of making any inquiry or supervising or performing any function or duty which in the opinion of the Management Committee would be more conveniently undertaken or carried out by an individual: provided that all acts and proceedings of any such individual shall be fully and promptly reported to the Management Committee.

#### **K. Receipts and Expenditure**

- 1) The funds of NorLSAR, including all donations contributions and bequests, shall be paid into an account operated by the Management Committee in the name of the NorLSAR at such bank as the Management Committee shall from time to time decide. All cheques drawn on the account must be signed by at least two members of the Management Committee.
- 2) Signatories on any cheque should not be from the same household
- 3) Recipients cannot be a signatory for that transaction.
- 4) Expenditure over £25 should be authorised by the Management Committee.
- 5) The funds belonging to NorLSAR shall be applied only in furthering the objects.

#### **L. Property**

1. Subject to the provisions of sub-clause (2) of this clause, the Management Committee shall cause the title to:
  - (a) all land held by or in trust for NorLSAR which is not vested in the Official Custodian for Charities; and
  - (b) all investments held by or on behalf of NorLSAR;

to be vested either in a corporation entitled to act as custodian trustee or in not less than three individuals appointed by them as holding trustees. Holding trustees may be removed by the Management Committee at their pleasure and shall act in accordance with the lawful directions of the Management Committee, the holding trustees shall not be liable for the acts and defaults of its members.

2. If a corporation entitled to act as a custodian has not been appointed to hold the property of NorLSAR, the Management Committee may permit any investments held by or in trust for NorLSAR to be held in the name of a clearing bank, trust corporation or any stock broking company which is a member of the International Stock Exchange (or any subsidiary of any such stock broking company) as nominee for the Management Committee. And may pay such a nominee reasonable and proper remuneration for acting as such.

#### **M. Accounts**

The Management Committee shall comply with their obligations under the Charities Act 1992 (or any statutory re-enactment or modification of that Act) with regard to:

1. The keeping of accounting records of NorLSAR.
2. The preparation of annual statements of account for NorLSAR.

3. The auditing, or independent examination, of the statements of account of NorLSAR by an external body where deemed necessary.
4. The transmission of the statements of account of NorLSAR to the Commissioners where necessary.

#### **N. The Annual Report**

The Management Committee shall comply with their obligations under the Charities Act 1992 (or any statutory re-enactment or modification of that Act) with regard to the preparation of an annual report and its transmission to the Commissioners.

#### **O. Annual Return**

The Management Committee shall comply with their obligations under the Charities Act 1992 (or any statutory re-enactment or modification of that Act) with regard to the preparation of an annual return and its transmission to the Commissioners.

#### **P. Annual General Meeting**

1. There shall be an annual general meeting of NorLSAR, which shall be held in the month of March in each year, or as soon as is practicable thereafter.
2. Every annual general meeting shall be called by the Management Committee. The secretary shall give at least 21 days' notice of the annual general meeting to all the members of NorLSAR. All the members of NorLSAR shall be entitled to attend and Full Members shall be entitled to vote at the meeting.
3. Before any other business is transacted at the first annual general meeting the persons present shall appoint a chairperson of the meeting. At subsequent annual general meetings the Chairperson shall be the chairperson, but if he or she is not present, before any other business is transacted, the persons present shall appoint a chairperson of the meeting.
4. The Management Committee shall present to each annual general meeting the report and accounts of NorLSAR for the preceding year.
5. Nominations, duly seconded, for election to Honorary Officer and Management Committee posts must be made by members of NorLSAR in writing, and must be in the hands of the Honorary Secretary at least 14 days before the annual general meeting. Should nominations exceed vacancies, election shall be by secret ballot.

#### **Q. Special General Meetings**

The Management Committee may call a special general meeting of NorLSAR at any time. If at least 3 members request such a meeting in writing stating the business to be considered the Secretary shall call such a meeting. At least 21 days' notice must be given. The notice must state the business to be discussed.

## **R. Procedure at General Meetings**

1. The Secretary or other person specially appointed by the Management Committee shall keep a full record of proceedings at every general meeting of NorLSAR.
2. There shall be a quorum when at least one tenth of the number of members for the time being or ten members, whichever is the greater, are present at any general meeting.

## **S. Notices**

Any notice required to be served on any member of NorLSAR shall be in writing and shall be served by the Honorary Secretary on any member either personally or by sending it through the post in a prepaid letter addressed to such member at his or her last known address in the United Kingdom, and any letter so sent shall be deemed to have been received within 10 days of posting.

## **T. Alterations to the Constitution**

1. Subject to the following provisions of this clause the constitution may be amended by a resolution passed by not less than two-thirds of the members present and voting at a general meeting. The notice of the general meeting must include notice of the resolution setting out the terms of the amendment proposed.
2. No amendment may be made to Clause **A** (Name of NorLSAR Clause), Clause **C** (Objects Clause), Clause **I** (Management Committee Members not to be Personally Interested Clause) or Clause **U** (Dissolution Clause) without the prior written approval of the Charity Commissioners. (once NorLSAR becomes a charity).
3. No amendment may be made which would have the effect of making NorLSAR ineligible to become a charity.
4. The Management Committee should promptly send to the Charity Commissioners a copy of any amendment made under this Clause. (once NorLSAR becomes a charity).

## **U. Dissolution**

If the Management Committee decides that it is necessary or advisable to dissolve NorLSAR, they shall realise any assets held by or on behalf of NorLSAR. Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred by the Management Committee to such other charitable institution or institutions having objects similar to the objects of NorLSAR as the Management Committee may decide or, failing that, shall be applied by the Management Committee for some other charitable purpose.